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**TOWN OF BELMONT  
ZONING BOARD OF APPEALS**

**CASE NO.** 23-30

**APPLICANTS** Carol and Edward Berberian

**PROPERTY** 14 Herbert Road

**DATE OF PUBLIC HEARING** November 16, 2023

**MEMBERS SITTING** Casey Williams, Chair  
Andrew Kelley, Vice Chair  
(absent)  
Teresa MacNutt  
Elliot Daniels  
David Stiff  
Alexandra Danahy (Associate Member) (absent)  
Daniel Barry (Associate Member)

**MEMBERS VOTING** Casey Williams, Chair  
Teresa MacNutt  
David Stiff  
Daniel Barry

**Introduction**

This matter came before the Board of Appeals (the "Board") of the Town of Belmont (the "Town") acting as Special Permit Granting Authority under the Zoning By-Law of the Town of Belmont, Massachusetts (the "By-Law") and Chapter 40A of the Massachusetts General Law (the "Zoning Act"). The applicants, Carol and Edward Berberian (the "Applicants") sought Two (2) Special Permits under Section 1.5 of the By-Law to construct a two story side addition at 14 Herbert Road located in a Single Residence C (SRC) Zoning District. Special permits:

1. Section 4.2 of the Zoning By-Law Schedule of Dimensional Regulations allow a Maximum lot coverage of 25%, the existing lot coverage is 27.3% and the proposed is 28.7%.
2. Section 4.2 of the Zoning By-Law Schedule of Dimensional Regulation requires a Minimum required side setback of 10.0', the existing and proposed side setback is 7.9'.

**Proposal**

The Board held a duly noticed hearing on the application on November 16, 2023. The Applicants submitted for the Board's review architectural design plans dated October 27, 2023

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prepared by Bourque Design and a plot plan, dated October 20, 2023 prepared by surveyor Neponset Valley Survey Assoc. Inc.

At the hearing Ms. Berberian presented the proposed project to the Board. She explained that the proposed addition will enlarge the existing non-conforming garage to allow garage parking for one vehicle and that the second story addition will include an office space and a walk-in closet.

Three letters from abutters in support of the project were submitted to the Board. At the hearing, no one spoke in support of or in opposition to the application.

**Decision**

MGL Chapter 40A §6 provides in pertinent part: "Pre-existing nonconforming structures or uses may be extended or altered, provided, that no such extension or alteration shall be permitted unless there is a finding by the permit granting authority by ordinance or by-law that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming use to the neighborhood."

The Board found that the proposed addition is not substantially more detrimental to the neighborhood than the existing non-conforming structure, and that the proposed alterations are in keeping with the character of the neighborhood in which the property is located.

**Accordingly, upon motion duly made by Casey Williams, and seconded by Teresa MacNutt, the Board voted 4-0 to grant the Two (2) Special Permits as requested.**

For the Board,



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Ara Yogurtian  
Inspector of Buildings

Dated: November 21, 2023